

FAIR HOUSING

Update

Volume 10, Issue 2

March 2005

Nonprofit Fair Housing Agencies Celebrate Ten Years of Service

By Lauren Walker

The Fair Housing Center of South Puget Sound and Northwest Fair Housing Alliance are celebrating their ten year anniversaries.

Early Days of the Fair Housing Advocacy Agencies

In September 1994, the Northwest Fair Housing Alliance (NWFHA) began formal operations as a nonprofit organization, achieving 501(c)3 status in April 1995 at which time they received a two year Fair Housing Initiative Program (FHIP) grant from the U.S Department of Housing and Urban Development (HUD). Subsequently, they have received funding through HUD FHIP enforcement grants, City of Spokane Community Development Block Grants (CDBG), private testing contracts, other local organization education contracts and private donations. Their mission is to provide education, outreach and enforcement for the people of Eastern Washington with respect to the Washington Law Against Discrimination, the federal fair housing laws, and the Washington State Landlord Tenant Law.

The Fair Housing Center of South Puget Sound (Fair Housing Center) started during the spring of 1995 through Pierce County government, who had applied for and received a FHIP grant, and began its independent operations on October 1, 1995. The agency moved from its initial purpose of serving Pierce County residents to providing services to individuals and businesses in western and central Washington. Since then the agency has

received ongoing funding through HUD FHIP Private Enforcement Initiative and Education and Outreach Initiative contracts other contract specific work. The mission of the agency is "to assure equal access to housing and other related services to the residents of Washington. The organization will achieve this purpose through education, investigation, and enforcement of applicable laws".

How Nonprofit Fair Housing Agencies Differ

The Fair Housing Center and NWFHA provide intake and investigation of fair housing complaints, information and referral to other service providers, assist with requests for reasonable accommodations or modifications, train housing providers and consumers through education and outreach initiatives, conduct fair housing testing and consult on fair housing planning. Working collaboratively to ensure services statewide, NWFHA serves eastern Washington, the Fair Housing Center serves western Washington and both agencies provide services to residents and housing providers in central Washington.

The NWFHA and Fair Housing Center are advocacy agencies. They differ from HUD and the Fair Housing Assistance Program (FHAP) agencies in that they do preliminary investigation of cases and do not make

determinations on the outcomes. Instead, these two agencies assist complainants in filing cases with HUD and the FHAP agencies while supporting them through the sometimes confusing process and the conciliation process. In addition, these organizations are the only entities that conduct fair housing testing in Washington.

Northwest Fair Housing Alliance Highlights

The activities of the staff have been focused on the provision of services consistent with the mission of the organization including, but not limited to, the following programs and accomplishments:

Receipt and investigation of 1,384 fair housing complaints, 250 of which have formally been filed with the HUD and/or the Washington State Human Rights Commission (WSHRC); conducted over 1000 tests in response to HUD grants, partnerships with other federal and civil rights organizations (WSHRC) and the National Fair Housing Alliance. The testing program has also included self-testing contracts by private real-estate proprietors interested in eliminating housing discrimination. NWFHA has received over 1248 calls for assistance on the Landlord-Tenant Hotline, and disseminated over 1,912 pieces of printed information in

continued on page 3

Questions & Answers

Q. Is it okay for owner Jean Marley to advertise her duplex unit this way? "Large two bedroom unit. Near shopping and schools. Disability accessible and family friendly."

- a. Jean Marley can market to families with children without violating the fair housing laws. Indicating that families with children are welcome in a community does not deny any other protected class the opportunity to apply for housing.

Under the fair housing laws, Jean may also affirmatively market her available accessible units to people with disabilities. Advertising that a unit is accessible is not only legal under the fair housing laws, it is encouraged.

Q. Kathy Jackson and Tony Lamada, an unmarried couple, wish to rent an apartment at the Galleria Apts. The manager asks each of them to complete a rental application and pay a credit check fee. Is this discriminatory?

- A. The federal Fair Housing Act does not cover marital status as a protected class, but most local fair housing ordinances do (including City of Seattle, City of Tacoma, City of Bellevue, King County and State of Washington). In these areas, a housing provider must treat all applicants and tenants similarly, regardless of their marital status. However, because Kathy and Tony do not have the "community property" status of a married couple, the manager can request that they each file an application and undergo a separate credit check.

Q. Residents are complaining about loud noises coming from the Dowd apartment. When Manager Fargo talks with the Dowds, they tell him the noise is drumming which is part of their religion. Would it be discriminatory for Fargo to tell them to stop making this noise?

- A. Housing providers have a right to establish reasonable noise regulations for the comfort and peaceful enjoyment of all tenants. If the Dowds' noise occurs during the day and is not excessive, it should be treated like any other tenant noise. It would be an religious accommodation to allow them to make a reasonable amount of drumming noise during the daytime. However, if their noise is extreme or occurs after hours (say, between 10:00 pm and 7:00 am), Fargo can advise these residents that they must nevertheless obey the noise policy.

Q. Elderly Mrs. Tanaka has a state disabled parking permit for her car. All parking is open to all tenants, but she asks management to give her a reserved space close to her unit. Is her request reasonable according to fair housing laws?

- A. This is one of the most common accommodation requests by tenants with disabilities. It would be a reasonable accommodation for management to provide Mrs. Tanaka a reserved parking space so that she can be ensured available accessible parking. She may only need a regular sized space or if necessary, can request a parking space that meets accessibility specifications. In addition to providing the parking space, management must diligently enforce it by ensuring that other tenants and their guests do not park there.

Q. New tenant Olson advises Manager Quentin that he wants to rebuild the plumbing in his apartment so that he can hook up a portable dialysis unit there. Quentin refuses because apartment rules forbid tenants from painting or altering their units in any way. Is this discriminatory?

- A. Some people with disabilities may have problems accessing their unit due to their use of wheelchairs, crutches, or other mobility devices. They may need to make alterations in their units in order to have better and/or safe access. fair housing laws require that housing providers permit, at the expense of the person with a disability, reasonable modifications of existing premises if necessary for the tenant's full enjoyment of the premises. For example, Olson should be allowed to change the plumbing for his dialysis unit. Quentin can condition permission for the modification based on Olson agreeing to restore the unit to its original condition when the tenant vacates the unit. However, a tenant need not remove the modifications if they will not interfere with the next tenant's use and enjoyment of the unit (for instance, a wider door need not be made smaller again). (Quentin may also ask that Olson set up an interest bearing account not to exceed the amount of the modifications to cover the cost of returning the apartment or house back to its original configuration.)

Receive this publication via e-mail

Fax the following information to 253-591-5050

Name: _____

Address: _____

E-mail: _____

Phone: _____

Property: _____

Ten Years of Service

continued from page 1

response to requests received over the Hotline; designed and delivered 43 formal fair housing training presentations to both consumers and housing providers, with audiences ranging from 4 to over 150 people; designed and implemented over 12,000 fair housing brochures in English and Spanish; participated as a contractor in the conduct of a statewide "Analysis of Impediments to Fair Housing Choice" for the Washington State Department of Community, Trade and Economic Development (CTED); developed and disseminated a fair housing flyer and poster specifically designed for Native Americans; and, designed and established a NWFHA web site on the Internet, providing information about fair housing and the services offered by NWFHA with links to services provided by local, statewide and federal organizations.

Fair Housing Center of South Puget Sound Highlights

Since 1995 the Fair Housing Center has filed 233 cases with HUD & the Washington State Human Rights Commission while advocating settlement amounts on behalf of complainants to the total of \$75,506.70. In addition to cases filed, the agency was involved in several Columbia Legal Services cases of which one familial status case against South Prairie Creek R.V. Park settled for \$68,000. The Fair Housing Center was recently involved in settlement negotiations for a lawsuit based on familial status violations by MacDonald Hoague and Bayless against Northgate Village Apartments in Lakewood where there was a final settlement of \$925,000 plus money in monitoring funds to the agency.

The Fair Housing Center is the only nonprofit entity conducting fair housing testing in western Washington having conducted 747 matched pair tests from August 1995 through February 2005. In addition, over 30 tests were conducted in Yakima. These tests have been utilized in reports for City and County officials and as evidence in fair housing complaints.

The Fair Housing Center has enjoyed its role in assisting state and local governments with fair housing planning. Since 1996 the agency has assisted with or completed, or is in the process of completing, "Analysis of Impediments to Fair Housing Choice" for the State of Washington, King and Pierce counties, Auburn, Bellingham, Bremerton, Kent, Seattle and Tacoma.

During the last two years the Fair Housing Center has received national awards from the Equal Rights Center in Washington, D.C. and an Innovation Award from HUD (one of 4 awards in the nation) for English as a Second Language (ESL) curriculum Fair Housing: Understanding Your Rights®. This curriculum is used in ESL classrooms throughout the region in Washington, Oregon and Idaho and gives new immigrants an opportunity to learn about fair housing laws as they master English as their new language.

Credit is Due

These nonprofit agencies would not be here today without the generous support of the Washington fair housing agencies. Both agencies are grateful for the statewide and regional partnerships. Though primarily reliant on the U.S. Department of Housing and Urban Development for funding, the Washington State Human Rights Commission, Seattle Office for Civil Rights, King County Office of Civil Rights and Tacoma Human Rights and Human Services have generously supported the Fair Housing Center and NWFHA through ongoing contracts. Additional funds have come from Community Development Block Grant (CDBG) and HOME through Pierce County and the City of Spokane, the Washington State Housing Finance Commission, Washington State Department of Community Trade and Economic Development, U.S. Department of Justice, National Fair Housing Alliance and private contracts and settlements.

Help the Fair Housing Center Celebrate Ten Years!

In celebration of the Fair Housing Center's ten year anniversary numerous activities are in the planning stages. Please join us to gain information on fair housing and to help us celebrate!

Fair Housing Month Events

- April 14 Fair Housing in Whatcom & Skagit Counties
Featured Speaker: Bernard Kleina-HOPE Fair Housing Bellingham
- April 19 Fair Housing Trends in Port Angeles and Clallum County
Port Angeles
- April 27 Fair Housing Legal Review & Predatory Lending
Featured Speaker: John Relman-John Relman & Associates
Sponsored by Perkins Coie and the King County Bar Association
Continuing Legal Education (CLE) credits pending approval. Seattle
- Date A Fair Housing Month event will take place in Longview
- Pending Call for a dates and times!

Pending Ten Year Anniversary Fall Events

- September Alabama Civil Rights Tour- Spend a long weekend visiting the Birmingham Civil Rights Institute, the National Voting Rights Museum and Institute in Selma, walk the Edmund Pettus Bridge, and visit sites in Montgomery, Alabama.
- October Ten Year Anniversary Celebration in Tacoma

Contact the Fair Housing Center of South Puget Sound
at 1-888-766-8800 for more information!

Celebrating Ten Years



FAIR HOUSING CENTER
OF SOUTH PUGET SOUND

Upcoming Events

March 17, 2005 8:00 AM - 4:00 PM
Rental Housing Association of Pierce County
11th Annual Educational Conference & Tradeshow
La Quinta Inn and Conference Center
1425 East 27th Street, Tacoma, WA
For additional information and registration contact
RHAPC at (253) 538-2040

April 21, 2005 8:30 A.M. - 4:00 P.M.
Tacoma's 19th Annual Fair Housing Conference
Occupancy, Real Estate, Domestic Violence,
Disability & the Fair Housing Act
Greater Tacoma Convention & Trade Center
1500 Broadway, Tacoma, WA
Registration Fee: \$85 before April 1, 2005
Includes FH Notebook w/materials & buffet lunch
To Register: Make check payable and mail to:
Tacoma Human Rights & Human Services
747 Market Street, Room # 836,
Tacoma, WA 98402-3779 / call: 253-591-5151

April 28, 2005 9:00 A.M. - 4:00 P.M.
2005 Fair Housing Conference - Reasonable
Accommodations Under The Fair Housing Act
Featured Speaker: Fred Rivera, Partner, Perkins Coie
Mukogawa Fort Wright Institute -Commons Bldg.
4000 W. Randolph Road, Spokane, WA
To Register: Make check payable and mail to: Inland
Empire Rental Association c/o Terri Tinker at 3 S.
Washington Street, Spokane, WA 99201/
call: 509-344-2661

June 15 & 16, 2005 8:30 AM - 5:00 PM
Tacoma Crime Free Housing Training
Tacoma Fire Training Center
2124 Marshall Avenue, Tacoma, WA 98421
For information and registration contact
Mary Beth Riggs at (253) 591-5160

How to reach us

Fair Housing Center of South Puget Sound

253-274-9523 / 1-888-766-8800
TTY 253-274-9523

King County Office of Civil Rights

206-296-7592, TTY 206-296-7596
Website: www.metrokc.gov/dias/ocre

Northwest Fair Housing Alliance

509-325-2665 / 1-800-200-FAIR

Seattle Office for Civil Rights

206-684-4500, TTY 206-684-4503
Website: www.cityofseattle.net/civilrights

Tacoma Human Rights and

Human Services Dept.

253-591-5151, TTY 253-591-5153
Website: www.cityoftacoma.org/HRHS

U.S. Dept. of Housing & Urban Development

206-220-5170, TTY 206-220-5185
Website: www.hud.gov/offices/fheo

Washington State Human Rights Commission

360-753-6770 / 1-800-233-3247
TTY 1-800-300-7525
Website: www.wa.gov/hrc

About this publication

The Washington State Fair Housing Update is a quarterly
publication of Fair Housing Assistance Program (FHAP)
Agencies and non-profit fair housing organizations



City of Tacoma
Human Rights and Human Services Department
747 Market Street, Room 836
Tacoma, WA 98402-3779

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Lakewood Landlord Pays \$925,000 to Settle Discrimination Case

By Jesse Wing at MacDonald Hoague & Bayless

A landmark housing discrimination lawsuit ended in January when Federal Judge Frank Burgess signed a consent decree requiring that the Northgate Village Apartments (NVA), located in Lakewood, Washington, and its landlords Grace Li and CIC Corporation change their policies and pay \$925,000 to 18 former tenants and applicants who sued them for discrimination. The tenants and applicants claimed NVA discriminated against them because of their race and because they had children

The consent decree also requires CIC Corporation to pay a non-profit agency, the Fair Housing Center of South Puget Sound, to train CIC's employees, conduct compliance checks, and monitor the landlord's conduct for the next five years.

In the lawsuit, former employees, tenants, and applicants of Northgate Village Apartments said that NVA's manager referred to African Americans and other non-whites

as "niggers" and "spics" and gave false information to non-white prospective tenants to keep them from renting apartments. They also complained that NVA enforced rules unequally and targeted tenants for eviction based on race and family status, prohibited children from using common areas and told them to play in areas containing broken glass and animal waste. Two NVA employees testified that they were fired because they objected to this discriminatory conduct.

NVA and its owners denied these allegations, but agreed to the consent decree and the \$925,000 damage award rather than have the case go to the jury trial that was scheduled to start in March. The monetary settlement alone is believed to be the largest in a housing discrimination case ever in Western Washington. The consent decree requires changes in NVA's policies toward future tenants and applicants, as well as those who were involved in the lawsuit.

The City of Tacoma's 19th Annual Fair Housing Conference
is coming to the new Greater Tacoma Convention & Trade Center April 21, 2005

Keeping the Dream Alive in Fair Housing

Don't miss this annual event! This year's conference is bound to please property managers, real estate agents, real estate investors, mortgage lenders and more. Come and learn about Fair Housing and Real Estate, how to recognize it, how to avoid it and what you can do about it. This class is a must for anyone wishing to purchase real estate or who is involved in real estate transactions. Attendees at this class will receive a guidebook that answers the most common questions and quandaries about fair housing as it applies to residential real estate transactions.

What does the Occupancy Code & Familial Status have to do with the Fair Housing Act?

Prominent attorney and featured guest speaker, Jesse Wing from MacDonald Hoague & Bayless, will share with participants his wealth of knowledge and expertise on familial status issues including occupancy restrictions under the Fair Housing Act. Mr. Wing recently litigated a landmark housing discrimination lawsuit that resulted in a consent decree that required Northgate Village Apartments located in Lakewood, Washington, and its owners to change their policies and pay \$925,000 to 18

former tenants and applicants who sued them for discrimination. Mr. Wing will be joined by Daniel McDonough, Senior Building Inspector for the City of Tacoma, who will provide housing providers with the information they need to understand how to apply the building code under the Fair Housing Act.

Opening the Doors For Disabled Tenants. How the public views your property and whether you are in compliance with fair housing laws begins at the application stage. Are prospective disabled tenants able to access your property's rental office and complete the application process? Do you have a reasonable accommodation or reasonable modification policy in place? What if a tenant needs a service animal? Get your questions answered and pick-up helpful handouts at this informative session conducted by staff from the Fair Housing Center of South Puget Sound.

Enjoy a full day of Fair Housing education with these topics and more at the new state of the art Greater Tacoma Convention & Trade Center! Continuing education clock hours and Washington State Bar Association Continuing Legal Education units will be offered pending approval, and are included in the cost of the conference. Participants will be treated to a wonderful buffet lunch and will each receive a Fair Housing Notebook that will act as a resource for fair housing.

If you've never been, you don't know what you're missing! Register today, seating is limited. For more information or to obtain a registration form call Tacoma Human Rights & Human Services at (253) 591-5151.

The Greater Tacoma Convention & Trade Center is located at 1500 Broadway, Tacoma, Washington 98402. For directions call (253) 830-6601.

Time	A	B	C	D
8:30-9:15	Registration			
9:15-9:45	Welcoming Remarks			
9:45-10:15	Guest Speaker			
10:15-11:15	Fair Housing, Occupancy, Familial Status & Beyond	Rules & Policies: Domestic Violence and Fair Housing	Fair Housing and Real Estate	Disability: Opening Doors for Disabled Tenants
11:30-1:00	Lunch			
1:00-2:00	Fair Housing, Occupancy, Familial Status & Beyond	Rules & Policies: Domestic Violence and Fair Housing	Fair Housing and Real Estate	Disability: Opening Doors for Disabled Tenants
2:15-3:15	Fair Housing, Occupancy, Familial Status & Beyond	Rules & Policies: Domestic Violence and Fair Housing	Fair Housing and Real Estate	Disability: Opening Doors for Disabled Tenants
3:15-4:00	Closing Remarks			

City of Tacoma Human Rights and Human Services 19th Annual Fair Housing Conference "Keeping the Dream Alive in Fair Housing" April 21, 2005

Name: _____

Company Name: _____

Mailing Address: _____

City: _____ Zip Code: _____

Daytime Phone: _____

Fax: _____

e-mail: _____

Will you need an accommodation for a disability?

☐ Interpreter ☐ Signer ☐ Other _____

The Greater Tacoma Convention & Trade Center is located at 1500 Broadway, Tacoma, Washington 98402. For directions call (253) 830-6601.

Please circle the classes you wish to attend:

Session	Time	Class	Class	Class	Class
Session 1	10:15-11:15	A	B	C	D
Session 2	1:00-2:00	A	B	C	D
Session 3	2:15-3:15	A	B	C	D

Make checks payable to:

City Treasurer for \$85 if registering prior to April 1, 2005.
Registration fee includes Fair Housing Notebook w/ materials and Buffet Lunch.

After April 1, 2005, and at the door, \$95

City of Tacoma Human Rights and Human Services
747 Market St., Suite 836
Tacoma, WA 98402

(253) 591-5151 • fax: (253) 591-5050